

**TO:** Mayor and Board of Trustees  
**FROM:** Village Administrator Steve Stricker and Staff  
**SUBJECT:** Regular Meeting of June 27, 2011  
**DATE:** June 26, 2011

## **PLEDGE OF ALLEGIANCE**

Unfortunately, due to summer vacation, we were unable to secure a student to lead the Pledge of Allegiance at tonight's meeting.

## **6. ORDINANCES**

### **A. Amendments to Zoning Ordinance**

Attached is an Ordinance approving amendments to Section IV of the Zoning Ordinance. The amendments are the outcome of the Plan Commission's annual review of the Zoning Ordinance. A public hearing was held on June 6, 2011 by the Commission and a recommendation was forwarded to the Board at that time to approve the amendments. The Board reviewed the amendments at its June 13, 2011 meeting and directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

### **B. Special Use (Z-02-2011: 15W308-320 North Frontage Road – Martin)**

Attached is an Ordinance granting a temporary special use approval for the property at 15W308-320 North Frontage Road. The special use allows an automobile parts powder coating business to be located in an existing building for a two year period. A public hearing was held on June 6, 2011 by the Plan Commission and a recommendation was forwarded to the Board at that time to approve the special use. The Board reviewed the recommendation at its June 13, 2011 meeting and directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

### **C. Variation (Z-08-2011: 220-240 Shore Drive – Bronson & Bratton)**

Attached is an Ordinance granting a variation of the floor area ratio for an addition to the buildings at 220 and 240 Shore Drive. The addition would connect two existing buildings. A public hearing was held on June 6, 2011 by the Plan Commission and a recommendation was forwarded to the Board at that time to approve the FAR variation. The Board reviewed the recommendation at its June 13, 2011 meeting and directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

**D. Special Use (Z-09-2011: 200-206 Burr Ridge Parkway – Dao, Inc.)**

Attached is an Ordinance granting a special use approval for the expansion of the Dao Sushi and Thai Restaurant in County Line Square. A public hearing was held on June 6, 2011 by the Plan Commission and a recommendation was forwarded to the Board at that time to approve the special use. The Board reviewed the recommendation at its June 13, 2011 meeting and directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

**E. Sign Variation (S-03-2011: 201 Bridewell Drive – Eddie Merlot's)**

Attached is an Ordinance granting a sign variation for a new restaurant, Eddie Merlot's, at 201 Bridewell Drive. The Plan Commission reviewed the sign variation at their June 6, 2011 meeting at which time a recommendation was forwarded to the Board to approve the variation. The Board reviewed the recommendation at its June 13, 2011 meeting and directed staff to prepare the attached Ordinance.

**It is our recommendation:** that the Ordinance be approved.

**F. Chapter 35 - Thru Truck Traffic Limitations**

Attached please find an Ordinance that amends Chapter 35 (Motor Vehicles) Section 15-101 (b) (Limitations Exceptions) of the Burr Ridge Municipal Code. This ordinance has been drafted in response to resident complaints about large trucks (gross weight in excess of 10,000 lbs.) using Soper Road/Brush Hill Road between 74<sup>th</sup> Street and North Frontage Road to cut through the area. This Ordinance would allow the Public Works Department to install and the Police Department to enforce "No Thru Truck" Signs on the Soper Road section between 74<sup>th</sup> and 75<sup>th</sup> Streets. Trucks would still be permitted to use the Brush Hill portion of the road to access businesses between 75<sup>th</sup> Street and North Frontage.

**It is our recommendation:** that the Ordinance be approved.

**7. RESOLUTIONS**

**8. CONSIDERATIONS**

**A. Plan Commission Recommendation - Amendment to Estancia PUD (Z-12-2011; 100 Harvester Drive – Mars Equities)**

Please find attached a letter from the Plan Commission recommending approval of a request by BJB Estancia, LLC for an amendment to the Estancia Planned Unit Development to permit the construction of a four-story office building at 100 Harvester Drive (rather than the previously

approved three-story building), to permit the construction of a parking deck, to waive the requirement for a separated loading dock for an office building exceeding 80,000 square feet in floor area, and to permit a deli/cafeteria within the proposed office building.

The petitioner has a potential client that would take the entire building, but needs up to 120,000 square feet of floor area rather than the 90,000 square feet previously approved and would like food service in the building. In order to accommodate the additional floor area, a parking deck is also proposed. The waiver of the separated loading dock was previously approved for the smaller office building and the petitioner seeks to continue that approval for the new office building.

The Plan Commission's primary concern was the sight lines from the residential area on Elm Street to the parking deck. In response to this concern, the Plan Commission asked that the final plans, with sight line drawings, be submitted to the Plan Commission and Board for review and approval.

**It is our recommendation:** that the Board directs staff to prepare an Ordinance amending the Estancia PUD.

**B. Plan Commission Recommendation – Text Amendment/Special Uses (Z-13-2011 & Z-14-2011: 145 & 161 Tower Drive – Ludicrous 6, LLC)**

Please find attached a letter from the Plan Commission recommending approval of a request to permit limited retail sales of automobiles at two locations on Tower Drive. The petitioner owns a 3,000 square foot industrial condo at 145 Tower Drive and currently warehouses up to nine cars at this location. The petitioner also leases a 14,000 square foot space at 161 Tower Drive where he warehouses up to 50 cars. The cars are primarily luxury cars most of which sell for \$100,000 or more (see web site at [www.globalluxuryimportsllc.com](http://www.globalluxuryimportsllc.com)).

The 145 property is in a RA District and currently does not list retail sales or auto sales as a permitted or special use. The Plan Commission's recommendation is to amend the RA District to add "*Indoor Sales of Luxury and Exotic Automobiles*" to the list of special uses in the RA District and to approve a special use to allow indoor sales of luxury and exotic automobiles in the 3,000 square foot space at 145 Tower Drive. For the 161 property, wholesale and retail sales are listed as a special use. The Plan Commission recommends special use approval to permit wholesale and retail sales of automobiles in the 14,000 square foot space at 161 Tower Drive. Both recommendations were by a 3 to 2 vote of the Plan Commission.

There were approximately 20 residents from the adjacent Carriageway Condos and Carriage Way Club townhomes present at the meeting. These neighbors were concerned about noise and property maintenance, which did not seem to be related to the petitioner. There was also an

owner of one of the industrial condos at 145 Tower Drive who was concerned about parking and traffic impacts.

The petitioner presented a written list of conditions that would restrict the number of cars and customers and would prohibit outside sales or any repair activity. Those conditions are reflected in the recommendation enclosed. A majority of the Plan Commission felt that the conditions are sufficiently restrictive to prevent the business from having an adverse impact on adjacent properties. Two Commissioners present at the meeting were concerned that the business may create noise or other undesirable impacts on adjacent properties.

The petitioner also has reported that sales activity from the petitioner's current warehouse in Indiana (all sales are currently directed through the Indiana location), amounted to \$1.2 million during a 45 day period in April of and May of this year. The petitioner has indicated they intend to direct those sales through the Burr Ridge location if the zoning is approved. Most of those sales would be subject to sales tax and most would result in a 1% sales tax paid to the Village of Burr Ridge. Automobile sales to out of state customers may pay sales tax to Burr Ridge but it depends on whether the State of Illinois has a reciprocal agreement with that particular state (Illinois currently has such an agreement with eight other states including Indiana and Michigan). The petitioner reports that the majority of sales from Burr Ridge will be to Illinois residents. Staff has asked the petitioner to provide more information on anticipated sales.

**It is our recommendation:** that the Board directs staff to prepare an Ordinance approving the text amendment and special use.

**C. Plan Commission Recommendation - Special Use (Z-11-2011: 7101 Garfield Avenue – Verizon)**

Please find attached a letter from the Plan Commission recommending approval of a request by Chicago SMSA Limited Partnership d/b/a Verizon Wireless for special use approval to permit additional cellular communication antennas on the existing water tower and with an at-grade equipment shelter. The water tower is the Village tower adjacent to the CNH property and Harvester Park. There is existing wireless communication facilities on the Village water tower at this location and the equipment shelter will be within a fenced and screened area. The antennas are white to match the tower and the facilities comply with all other regulations of the Zoning Ordinance.

Village staff is also preparing a lease agreement which should be ready for the next Village Board meeting. The lease agreement will follow the same outline as other lease agreements for wireless facilities on the Village water towers.

**It is our recommendation:** that the Board directs staff to prepare an Ordinance granting special use approval.

**D. Plan Commission Recommendation - Sign Variation (S-04-2011: 16W361 South Frontage Road – Janko Group)**

Please find attached a letter from the Plan Commission recommending approval of a request by 361 Frontage LLC, c/o Janko Group for a variation from the Sign Ordinance to permit a ground sign in addition to an existing wall sign rather than the requirement that only one principal identification sign is permitted.

The Plan Commission concluded that the overall sign package is consistent with the intent of the Sign Ordinance. The total sign area is less than the permitted sign area and only the existing sign would function as the principal identification for the property. The proposed sign is a tenant directory that is primarily intended for on-site visibility.

**It is our recommendation:** that the Board directs staff to prepare an Ordinance approving the sign variation.

**E. Plan Commission Recommendation – Appoint Guy Franzese Vice Chairman**

Please find attached a letter from the Plan Commission recommending that Commissioner Guy Franzese be appointed Vice Chairman of the Plan Commission for a one year term expiring on June 9, 2012. The Rules of Procedure for the Plan Commission require a rotating Vice Chair with an annual nomination by the Plan Commission and approval by the Board of Trustees. The rules state that the Vice Chair position should rotate among those willing to serve.

**It is our recommendation:** that the Board appoints Commissioner Guy Franzese as Vice Chairman of the Plan Commission for a one year term expiring on June 9, 2012.

**F. Approval of Vendor List**

Enclosed is the Vendor List in the amount of \$212,988.40 for all funds, plus \$197,484.95 for payroll, for a grand total of \$410,473.35. The Vendor List includes the following special amounts:

- \$30,490.18 – HDR Engineering, Inc.. for Phase 1 and Phase 2 engineering of Madison Street/Joliet Road intersection improvement

**It is our recommendation:** that the Vendor List be approved.